Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Newborn Infant Hearing Screening Act.

28-4-609. Exceptions: parental right to refuse, medical care facility, medically fragile newborns, and home births.

(a) If the newborn's or infant's parent objects to the mandatory screening for the detection of hearing loss, the parent's objection shall be documented in the child's medical record.

(b) If the medical care facility meets the definition of sending agency as specified in K.A.R. 28-4-600, that sending agency shall meet the following requirements:

(1) Have a contract or written agreement with a receiving agency that defines the responsibilities of each agency, including which agency is responsible for tracking and follow-up and for submitting the required data to the department;

(2) have the written agreement on file with the department;

(3) before each newborn's or infant's discharge, meet the following requirements:

(A) Schedule the hearing screening for the child at the receiving agency;

(B) provide the parent with the following information:

(i) The importance of early detection of hearing loss;

(ii) the normal infant developmental milestones regarding hearing, speech, and language;

(iii) the purpose, benefits, and limitations of newborn hearing screening;

(iv) the procedures used for newborn hearing screening; and

(v) the risk indicators for delayed-onset, progressive, and acquired hearing loss; and

(C) obtain a signed consent form from the parent to permit the receiving agency to share the results of the hearing screening; and

(4) obtain the hearing screening results and place them in the newborn's medical record.

(c) If a medically fragile newborn is transferred immediately after birth to a neonatal intensive care unit and has not had the hearing screened before the transfer, the medical care facility that releases the child to the home shall be responsible for the following:

(1) Screening the child's hearing before discharge; and

(2) meeting the responsibilities specified in K.A.R. 28-4-603 through K.A.R. 28-4-605.

(d)(1) For home births at which a primary medical care provider is in attendance, the primary medical care provider shall be responsible for the following:

(A) Coordination and referral of the newborn to a licensed audiologist or medical care facility providing hearing screening; and

(B) assisting the parent to obtain hearing screening for the newborn before the child is 30 days old.

(2) For home births at which a primary medical care provider is not in attendance, the newborn's primary medical care provider shall be responsible for the coordination and referral for hearing screening following accepted medical practices.

(Authorized by and implementing K.S.A. 65-1,157a; effective July 2, 2004.)

***** Authenticated Kansas Administrative Regulation *****